IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 12TH JULY 2007 / 21ST ASHADHA 1929

WP(C).No. 18268 of 2007(Y)

PETITIONER:

S.JAYAKUMAR, (DEPOT ENGINER, KSRTC,
CENTRAL WORKS, THIRUVANANTHAPURAM,
RTD. ON 30/09/2005), T.C.3/2463 (MGA-168),
SEKHARAMANGALAM, MARAKKAL THOPPU, PATTOM P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.K.P.RAJEEVAN

RESPONDENTS:

KERALA STATE ROAD TRANSPORT CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM.

BY SC SRI. JOHNSON P. JOHN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No. 18268 of 2007

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Dated this the 12th day of July, 2007

JUDGMENT

Petitioner has approached this court seeking payment of DCRG, Commuted value of pension etc., with interest. Petitioner retired on 30.9.2005. Petitioner has produced Exts.P2 and P2(a) in support of the contention regarding the marriage of the daughter of the petitioner. Petitioner also relies on Ext.P3. Ext.P3 is the discharge summary from the Department of Cardiovascular Thoracic Surgery of Amrita Institute of Medical Science and Research Center. Petitioner has a case that he is a cardiac patient and he is also having kidney trouble and he has spent large amount of money.

2. Heard counsel for the respondents also.

Having regard to all the facts and in particular the fact that petitioner retired on 30.9.2005 and the marriage of his daughter is fixed, I feel that deviation should be made from the principle of seniority.

Accordingly the writ petition is disposed of directing the

respondent to pay to the petitioner either DCRG or Commuted Value of Pension, whichever is higher on or before 15.10.2007.

(K.M. JOSEPH, JUDGE)

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